

# **UNIVERSITI TEKNOLOGI MARA**

## **THE ALTERNATIVES OF PROPERTY DIVISION AMONG MUALAF AND NON- MUSLIM HEIRS: A STUDY AT HIDAYAH CENTRE FOUNDATION TAMAN MELAWATI, KUALA LUMPUR**

**NURNABILAH BINTI MOHD ZAILANI**

Academic Writing submitted in partial fulfilment of the  
requirements for the degree of  
**Diploma in Muamalat**

**Academy of Contemporary Islamic Studies**

December 2019

## **AUTHOR'S DECLARATION**

I declare that the work in this academic writing was carried out in accordance with the regulations of Universiti Teknologi MARA. It is original and the results of my own work, unless otherwise indicated or acknowledged as reference work. This academic writing has not been submitted to any other academic institution or non-academic institution for any diploma or qualification.

I, hereby, acknowledge that I have been supplied with the Academic Rules and Regulations for Under Graduate, Universiti Teknologi MARA, regulating the conduct of my study and research.

Name of Student	:	Nurnabilah Binti Mohd Zailani
Student I.D. No.	:	2017625868
Programme	:	Diploma in Muamalat IC 110
Faculty	:	Academy of Contemporary Islamic Studies
Academic Writing Title	:	The Alternatives of Property Division among Mualaf and Non-Muslim Heirs: A Study at Hidayah Centre Foundation Taman Melawati, Kuala Lumpur

Signature of Students	:	.....
-----------------------	---	-------

Date	:	December 2019
------	---	---------------

## **ABSTRACT**

The lack of knowledge and awareness regarding inheritance matter in Islam are the reasons of the abandoned property problems that occur, especially with the different religion. Thus, this research is done to examine the level of understanding *Mualaf* towards the inheritance system in Islam. It specifically studies on *Mualaf* at Hidayah Centre Foundation Taman Melawati, Kuala Lumpur. The methodology used for this research is quantitative through the distribution of questionnaire survey form to *Mualaf* as the respondents. The method used to obtain data regarding the level of understanding respondents towards the inheritance system in Islam. The data was analysed to evaluate and determine the level of understanding respondents. Finding disclosed that majority of the respondents do understand about the inheritance system in Islam. The results of this study will surely help the improvement that should be taken by the authorities in increasing the level of understanding respondents as have been discussed in this study.

## TABLE OF CONTENTS

<b>AUTHOR'S DECLARATION .....</b>	<b>ii</b>
<b>ABSTRACT .....</b>	<b>iii</b>
<b>ACKNOWLEDGEMENT .....</b>	<b>iv</b>
<b>TABLE OF CONTENTS .....</b>	<b>v</b>
<b>LIST OF TABLES .....</b>	<b>viii</b>
<b>LIST OF FIGURES .....</b>	<b>ix</b>

### CHAPTER ONE: INTRODUCTION

1.1	Introduction .....	1
1.2	Research Background .....	2
1.3	Problem Statement .....	3
1.4	Research Aim .....	5
1.5	Research Objective .....	5
1.6	Research Question .....	5
1.7	Significant Of Research .....	6
1.8	Limitation .....	6
1.9	The Scope Of Research .....	7
1.10	Conclusion .....	7

### CHAPTER TWO: LITERATURE REVIEW

2.1	Introduction .....	8
2.2	Previous Research Conducted On Mualaf .....	9
2.3	Previous Research Conducted On Property Division .....	10
2.4	Concept Of Inheritance (Faraid) In Islam .....	12
2.5	Alternatives Of Property Division In Islam .....	14
2.5.1	Wasiyyah .....	14
2.5.2	Hibah .....	15
2.6	Jurisdiction Of The Administrative Bodies In Malaysia .....	17
2.6.1	Civil High Court .....	17
2.6.2	Estate Distribution Division .....	18
2.6.3	Amanah Raya Berhad .....	19

2.7	Concept Of <i>Mualaf</i> .....	19
2.7.1	Duration/ Period Limit Of <i>Mualaf</i> .....	21
2.7.2	Level Of Understanding Among <i>Mualaf</i> About Islam .....	23
2.8	Roles Of Government And Ngo Institutions In Enhancing The <i>Mualaf</i> Understanding And Awareness Towards Property Division From Islamic Perspectives .....	24
2.8.1	State Islamic Religious Council (MAIN).....	24
2.8.2	NGO Institution (Hidayah Centre Foundation) .....	24
2.9	Conclusion.....	25

### **CHAPTER THREE: RESEARCH METHODOLOGY**

3.1	Introduction .....	26
3.2	Research Method.....	26
3.3	Research Design .....	26
3.4	Sampling.....	27
3.5	Data Collection Process .....	28
3.6	Instrumentation.....	29
3.6.1	Instrument Of The Questionnaire Survey .....	30
3.7	Data Analysis .....	31
3.8	Validity And Reliability .....	31
3.8.1	Validity .....	31
3.8.2	Reliability.....	32
3.9	Conclusion.....	33

### **CHAPTER FOUR: RESEARCH FINDINGS AND DISCUSSIONS**

4.1	Introduction .....	34
4.2	Findings.....	35
4.2.1	Demographic Profile Of The Respondents .....	35
4.2.2	Level Of Understanding Among Respondents Related To The Property Division In Islam .....	40
4.2.3	The Alternatives Of Property Division Among <i>Mualaf</i> And Their Non-Muslim Heirs .....	46
4.3	Discussion .....	52
4.3.1	To Explore The <i>Hukm</i> Of Property Division Between <i>Mualaf</i> And Their Non-Muslim Heirs .....	52